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17 Attorneys for Plaintiff,

18 Pennie Smith

19 **UNITED STATES DISTRICT COURT**

20 **CENTRAL DISTRICT OF CALIFORNIA**

21 PENNIE SMITH, an individual,

22 Plaintiff,

23 v.

24 HOT TOPIC, INC., a California corporation;  
25 and DOES 1-10, inclusive,

26 Defendants.

Case No. 2:19-cv-01221-DSF-AGR

Hon. Dale S. Fischer

**NOTICE OF DISMISSAL WITHOUT  
PREJUDICE PURSUANT TO FED. R.  
CIV. P. 41(a)(1)(A)(i)**

1 Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiff Pennie Smith hereby dismisses this  
2 action in its entirety and against all defendants WITHOUT PREJUDICE.

3  
4 Dated: February 26, 2019

**ONE LLP**

5 By: /s/ Joanna Ardalan

6 John Tehranian

7 Joanna Ardalan

8 Attorneys for Plaintiff,

9 PENNIE SMITH  
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**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 4000 MacArthur Boulevard, East Tower, Suite 500, Newport Beach, California 92660.

On February 26, 2019, I caused the document(s) listed below to be served to the address(es) and by the method of service described as follows:

**NOTICE OF DISMISSAL WITHOUT PREJUDICE  
PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(i)**

Hot Topic, Inc.  
c/o CSC Lawyers Incorporating Service  
Registered Agent  
2710 Gateway Oaks Drive, Suite 150N  
Sacramento, CA 95833

[X] (BY MAIL) I am "readily familiar" with the firm's practice for collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Newport Beach, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on February 26, 2019 at Newport Beach, California.

  
\_\_\_\_\_  
Robin Golder